

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**MARCUS MOORE,**

**Defendant.**

**No. 07-cr-40017-DRH**

**ORDER**

**HERNDON, District Judge:**

Now before the Court is the Government's request for notice of alibi defense pursuant to Fed. R. Crim. P. 12.1(a) (Doc. 16). As of this date, the record indicates that Moore has not filed a response to this motion. Thus, pursuant to **Fed. R. Crim. P. 12.1(a)**, Moore is precluded from presenting an alibi defense at trial.

**IT IS SO ORDERED.**

Signed this 10th day of May, 2007.

/s/ David RHerndon  
**United States District Judge**